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06-16-04

1614

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/849,868
Filing Date	MAY 4, 2001
First Named Inventor	WEI-QIANG GAO
Group/Art Unit	1614
Examiner Name	DELACROIX MUIRHEI, CYBILLE

Total Number of Pages in This Submission

10

Attorney Docket Number

39766-0035 C1

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> AMENDMENT / RESPONSE <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below):
Remarks		<input checked="" type="checkbox"/> STAMPED RETURN POSTCARD

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39766-0035 C1.

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRLICH WHITE & McAULIFFE LLP 275 Middlefield Road, Menlo Park, California 94025			JAMES A. FOX (Reg. No. 38,455)
Signature				Telephone: (650) 324-7000      Facsimile: (650) 324-0638
Date	JUNE 14, 2004	Customer Number:	25213	

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06-16-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: Delacroix Muirheid, Cybille  
Wei-Qiang GAO ) ) Art Unit: 1614  
Application Serial No. 09/849,868 ) ) Confirmation No. 1085  
Filed: May 4, 2001 ) ) Attorney's Docket No. 39766-0035 C1  
For: HAIR CELL DISORDERS ) ) Customer No. 25213  
)  
)

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Date Mailed: June 14, 2004

AMENDMENT AND RESPONSE TO OFFICE ACTION

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria Virginia, 22313-1450

Dear Sir:

In response to the non-final Office Action mailed May 17, 2004, Applicant respectfully requests the Examiner to enter the following amendments to the claims and to consider the following arguments.

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 8.